RETURN OF SERVICE

UNITED STATES DISTRICT COURT District of Utah

Case Number: 2:25CV00484-DBB-

CMR

Plaintiff: Xlear, Inc.

Defendant: The United States Federal Trade Commission; and Andrew

N. Ferguson

For:

Evan S. Strassberg MICHAEL BEST & FRIEDRICH, LLP 650 S. Main Street, Suite 500 SALT LAKE CITY, UT 84101

Received by ANDERSON ATTORNEY SERVICES on the 23rd day of June, 2025 at 1:52 pm to be served on The United States Federal Trade Commission c/o Felice John Viti, Acting United States Attorney for the District of Utah, 111 South Main Street, Suite 1800, SALT LAKE CITY, UT 84111.

I, MELISSA LARSON, do hereby affirm that on the 24th day of June, 2025 at 11:16 am, I:

Served a Government Agency by delivering a true copy of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET; MOTĬON FOR PRO HAC VICEADMISSION; UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH APPLICATION FOR PRO HAC VICE ADMISSION; ORDER [GRANTING/DENYING] PRO HAC VICE ADMISSION; UNITED STATES DISTRICT COURT DISTRICT OF UTAH CONSENT TO JURISDICTION OF A MAGISTRATE JUDGE; CONSENT TO THE JURISDICTION OF THE MAGISTRATE JUDGE; ORDER GRANTING PRO HAC VICEADMISSION OF ROBERT HOUSMAN; with the date and hour of service endorsed thereon by me, to Hector Mejia as United States Attorney Office of the within named agency at the address of: 111 South Main Street, Suite 1800, SALT LAKE CITY, UT 84111 and informing such person of the contents therein.

I am over the age of 18 and have no interest in the above action. I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was executed. Pursuant to Utah Code Annotated 78B-18a-101 et seq., with the statutory declaration statement form as set forth in 78B-18a-106, I declare under criminal penalty that the foregoing is true and correct.

MELISSA LARSON

Process Server

ANDERSON ATTORNEY SERVICES P.O. BOX 535 Salt Lake City, UT 84110 (801) 773-8220

Our Job Serial Number: AND-2025003640

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT for the

Distr	rict of Utah	
Xlear, Inc.)))	
Plaintiff(s) V.) Civil Action No. 2:25cv00484-DBB	-CMR
The United States Federal Trade Commission; and Andrew N. Ferguson)))	
Defendant(s))	

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) The United States Federal Trade Commission

c/o Felice John Viti, Acting United States Attorney for the District of Utah 111 South Main Street, Suite 1800

Salt Lake City, UT 84111

Copy sent by certified mail to:

FTC, 600 Pennsylvania Ave NW, Washington, DC 20580

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Evan S. Strassberg Ashlee M. Burton MICHAEL BEST & FRIEDRI CH LLP 650 S. Main Street, Suite 500 Salt Lake City, Utah 84101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

Gary P Serdar

CLERK OF COURT

Signature of Clerk or Deputy Clerk

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Civil Action No. 2:25cv00484-DBB-CMR

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

	This summons for (nar	ne of individual and title, if any)				
was red	ceived by me on (date)	·				
	☐ I personally served	the summons on the individual a	t (place)			
			on (date)	; or		
	☐ I left the summons	sual place of abode with (name)				
	, a person of suitable age and discretion who resides there, on (date), and mailed a copy to the individual's last known address; or I served the summons on (name of individual), who designated by law to accept service of process on behalf of (name of organization)					
			on (date)	; or		
	☐ I returned the sumr	mons unexecuted because		; or		
	☐ Other (specify):					
	My fees are \$	for travel and \$	for services, for a total of \$	0.00		
	I declare under penalty of perjury that this information is true.					
Date:						
Dute.			Server's signature			
			Printed name and title			
			Server's address			

Additional information regarding attempted service, etc: